

11:15:23 1 Q. But you just told me that you never complained
11:15:26 2 about that through the grievance policy?

11:15:27 3 A. So I would -- I would not bring that up in 2004
11:15:30 4 in a grievance.

11:15:31 5 Q. Well, how would the district know about it if
11:15:33 6 your didn't complain about it? You see what I'm
11:15:40 7 getting at?

11:15:40 8 A. Not really.

11:15:41 9 Q. You just told me that you didn't complain?

11:15:43 10 A. Because anyone who complained was going to be
11:15:47 11 dumped on anyway, was going to be attacked. So if you
11:15:50 12 complained, that only made it worse.

11:15:52 13 Q. So you didn't complain?

11:15:55 14 A. Not until 2004, like I said.

11:15:57 15 Q. But you just told me that the 2004 complaint
11:16:00 16 didn't have anything to do with any of your claims
11:16:02 17 here?

11:16:03 18 A. I didn't say it didn't have anything to do with
11:16:06 19 it. I said to complain about an incident in 2001-2002
11:16:10 20 school year would not work.

11:16:12 21 Q. Why?

11:16:13 22 A. I didn't -- I didn't see that. What was going
11:16:17 23 on in the 2004 had -- had just -- it had gone on from
11:16:24 24 2001 to 2004 and that's when I made the decision to
11:16:29 25 complain.

11:16:29 1 Q. But you just said that what you complained
11:16:32 2 about didn't have anything to do with CMC?

11:16:34 3 A. I did not say that.

11:16:35 4 MS. HISEL: Could you read back to me what she
11:16:38 5 said?

11:16:38 6 A. Just a minute. I -- I said that it -- it
11:16:42 7 didn't -- I complained about my appraisals.

8 BY MS. HISEL:

11:16:44 9 Q. It didn't have anything to do with CMC;
10 correct?

11:16:47 11 A. I don't know what you mean when you say it had
11:16:49 12 anything to do with CMC.

11:16:51 13 Q. Well, you said that you complained about your
11:16:54 14 appraisal in 2004; correct?

11:16:56 15 A. Uh-huh. Yeah.

11:17:00 16 Q. But you didn't complain about --

11:17:05 17 A. I also said that I complained -- I'm sorry.

11:17:07 18 Q. Go ahead. Go ahead.

11:17:11 19 A. That's all right.

11:17:14 20 MR. WAOBIKEZE: She was asking you a question.
11:17:19 21 I want to make a request.

22 MS. HISEL: Pardon me?

11:17:19 23 MR. WAOBIKEZE: I want to go off the record for
11:17:20 24 a minute.

25 (Discussion off the record.)

11:17:34

1 BY MS. HISEL:

11:17:45

2 Q. What I'm trying to figure out is -- your
3 response to me is that you filed a grievance in 2004;
4 right?

11:17:57

5 A. Yes.

11:17:59

6 Q. You told me that you had some complaints and
7 you had feelings of discrimination in 2001, but you
8 didn't tell anybody?

11:18:02

9 A. Yes.

11:18:08

10 Q. Right? So my question to you is, if you didn't
11 tell anybody, how was the district supposed to know
12 that anything that you felt was not right was going on
13 if you didn't tell anybody?

11:18:21

14 A. I don't know the answer to that. I just know I
15 didn't do it.

11:18:34

16 Q. Okay. And then you talked about the fact that
17 you had issues with your evaluation for 2003-2004; is
18 that correct -- I'm sorry -- 2004?

11:18:44

19 A. Yes.

11:18:51

20 Q. And when you complained about your appraisal,
21 which is what you said, what were you complaining
22 about?

11:18:58

23 A. How low I had been marked down in many areas.

11:19:05

24 Q. Why -- why were you unhappy with that?

11:19:11

25 A. I don't think it's something for me to be happy

11:19:13 1 about.

11:19:14 2 Q. Well, I'm not saying to be happy about it, but

11:19:17 3 why do you feel like you were -- I mean, what were the

11:19:21 4 reasons why you felt that you were getting the

11:19:24 5 evaluations you were getting?

11:19:30 6 A. Like I said earlier, when I was removed from

11:19:34 7 ACE, this -- all of this began.

11:19:39 8 Q. You said that 2001 this occurred and you were

11:19:42 9 removed from ACE in 2001?

11:19:44 10 A. I'm referring to the appraisals.

11:19:48 11 Q. Okay. So when you say all this began, what

11:19:50 12 began?

11:19:51 13 A. I'm talking about the markdowns on the

11:19:53 14 appraisals.

11:20:03 15 Q. So when you complained about markdowns on

11:20:08 16 appraisals, what happened?

11:20:10 17 A. With whom? With --

11:20:12 18 Q. Who did you complain to about the markdown on

11:20:25 19 appraisals?

11:20:25 20 A. I called the teacher association and then I

11:20:30 21 talked to Marilyn McKinney.

11:20:32 22 Q. Okay. And do you remember when this was?

11:20:39 23 A. No, ma'am.

11:20:46 24 Q. And did you file a grievance?

11:20:51 25 A. The attorney that I talked to -- I'm sorry. I

11:20:54 1 apologize. It was an ATPE attorney. It wasn't TSTA.
11:21:08 2 And I think he spoke about -- he wrote some
11:21:11 3 communication to Ms. Ruffin and a grievance was filed.
11:21:20 4 That is the first grievance that was filed.
11:21:22 5 Q. So you engaged in the grievance process
11:21:26 6 regarding your evaluation; correct?
11:21:28 7 A. Yes.
11:21:29 8 Q. Okay. Now, if we -- we were to look at that
11:21:33 9 documentation, would there be any evidence in that
11:21:36 10 documentation to show that you complained about being
11:21:41 11 removed from a classroom?
11:21:44 12 A. No.
11:21:47 13 Q. Would there be any evidence that you complained
11:21:49 14 about racial discrimination?
11:21:51 15 A. I'm not sure.
11:21:53 16 Q. Would there be any evidence to show that you
11:21:55 17 complained about sex discrimination?
11:21:59 18 A. I'm not sure.
11:22:01 19 Q. If the evidence shows that there is none of
11:22:04 20 that in any of that documentation -- and we may have to
11:22:07 21 look at that after lunch -- would you have any reason
11:22:10 22 to -- to establish that the district felt that you were
11:22:18 23 grieving anything other than your appraisal and the
11:22:21 24 marks that you received on your appraisal? In other
11:22:26 25 words -- I know that's confusing.

11:22:27

1 A. Very.

11:22:29

2 Q. You -- there's nothing in any of the
3 documentation to show that you were complaining about
4 anything other than your appraisal. Would that be fair
5 to say?

11:22:39

6 A. I don't know.

11:22:44

7 Q. Okay. In looking at your charge of
8 discrimination -- and, again, that's in front of you --
9 is there anything else -- well, let me just -- let's
10 start up there on -- at number 1. It says, "On or
11 about March 30th, 2005, I was not given ample time to
12 prepare my defense with an attorney to react to a
13 notice of nonrenewal of my contract with this school
14 district. I was being nonretained as a teacher due to
15 some infractions that the district drew up on me.
16 However, other teachers that were white females were
17 treated different because I am a black female." Did I
18 read that correctly?

11:23:09

19 A. Yes.

11:23:12

20 Q. Is there anything else other than what's listed
21 in this section that you're complaining about? And I'm
22 just referring to section one.

11:23:15

23 A. I can't answer that. I'm sure there are, but I
24 cannot answer that.

11:24:11

25 Q. And you say there that you weren't given ample

11:24:23 1 time to prepare. Who did not give you ample time to
11:24:26 2 prepare a defense to the district's decision to
11:24:29 3 nonrenew your contract?

11:24:30 4 A. The district didn't.

11:24:32 5 Q. Okay. Who in the district?

11:24:40 6 A. I don't know. Whoever sets up the dates for
11:24:43 7 the hearings in the district office. I don't know who
11:24:47 8 it was.

11:24:47 9 Q. Okay. So no names in particular?

11:24:49 10 A. I don't recall.

11:24:52 11 Q. How were you not given ample time to prepare
11:24:56 12 your defense to the district's decision to nonrenew
11:24:59 13 your contract?

11:25:00 14 A. How was I -

11:25:01 15 Q. How were you not given ample time?

11:25:05 16 A. Because a week is not enough time or a few days
11:25:10 17 for an attorney to prepare. And at one point, I didn't
11:25:15 18 even have an attorney. And that was -- there were only
11:25:19 19 a few days notice given.

11:25:27 20 Q. Okay. And you say in here that some
11:25:30 21 infractions were drawn up on you. What infractions did
11:25:33 22 the district draw up on you?

11:25:39 23 A. I don't -- I did not memorize all those
11:25:42 24 infractions. There were several of them.

11:25:44 25 Q. Such as?

11:25:54 1 A. I don't know if anything was in there about
11:25:57 2 school -- not following school policy. I don't recall.
11:25:59 3 I didn't linger on that. I didn't dwell on that. I
11:26:03 4 don't recall.

11:26:03 5 Q. Well, what -- I mean, can you give me any
11:26:05 6 specific examples of what so-called infractions the
11:26:09 7 district drew up on you that supports that -- that
11:26:14 8 statement by you?

11:26:16 9 A. No, I can't.

11:26:20 10 Q. Is it because they weren't serious or you
11:26:24 11 just -- I mean, they didn't --

11:26:25 12 A. What wasn't serious?

11:26:27 13 Q. These so-called infractions that the district
11:26:31 14 supposedly drew up on you.

11:26:32 15 A. They were very serious.

11:26:33 16 Q. Okay. But you can't remember them right now?

11:26:35 17 A. No, I can't.

11:26:36 18 MR. WAOBIKEZE: Objection, form. She's already
11:26:37 19 answered your question. Asked and answered.

20 BY MS. HISEL:

11:26:42 21 Q. They were very serious, though? That's what
11:26:44 22 you said?

23 A. Yes, they were.

11:26:47 24 Q. Okay. Is it usual for you that if something is
11:26:54 25 very serious, you don't have any recollection